

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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CONSTITUTION NEWENERGY, INC., :

Plaintiff, : Civil Action No. 02-CV-2733 (HB)  
v. :  
POWERWEB TECHNOLOGIES, INC., :  
Defendant. :  
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**PLAINTIFF, CONSTITUTION NEWENERGY INC.'S MOTION IN LIMINE  
TO PRECLUDE EXPERT AND OPINION TESTIMONY BY  
LOTHAR BUDIKE, JR., AND ANDREW BAKEY**

Plaintiff, Constellation NewEnergy, Inc., respectfully moves to preclude defendant Powerweb Technologies, Inc., from offering expert and opinion testimony at trial by Lothar Budike, Jr., and Andrew Bakey pursuant to Federal Rules of Evidence 701 and 702 for the reasons set forth in the accompanying Memorandum of Law, which is incorporated herein by reference.

For WOLF, BLOCK, SCHORR AND SOLIS-COHEN LLP

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s/DL422  
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Dated: July 26, 2004